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Atty Dkt. No: IDD-5776
BBL No.: 113957-249

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application Of:
Sean Brynjelsen et al.

For: PREPARATION OF SUBMICRON
SOLID PARTICLE SUSPENSIONS
BY SONICATION OF MULTIPHASE
SYSTEMS

Serial No.: 09/964,273

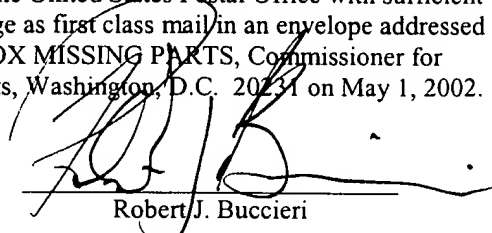
Filed: September 26, 2001

Examiner: Not yet assigned

Art Unit: 1615

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited
with the United States Postal Office with sufficient
postage as first class mail in an envelope addressed
to: BOX MISSING PARTS, Commissioner for
Patents, Washington, D.C. 20231 on May 1, 2002.


Robert J. Buccieri

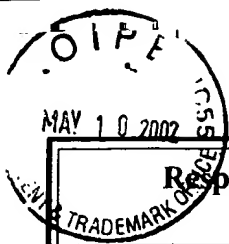
**REPLY TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION / FORMALITIES LETTER MAILED NOVEMBER 7, 2001**

BOX MISSING PARTS
Commissioner for Patents
Washington D.C., 20231

Sir:

This is a reply to the Notice to File Missing Parts of Nonprovisional Application /
Formalities Letter mailed November 7, 2001, with a shortened statutory response period of two
(2) months from the mailing date, extended four months by Petition filed herewith. Accordingly,
this reply is timely filed. A check in the amount of \$2,472 is enclosed herewith in payment of
the filing fees for this application (\$1,032) and payment of the associated extension fees
(\$1,440). The Commissioner is hereby authorized to charge any additional fees to Deposit
Account number 02-1818.

Responsive to the Formalities Letter, Applicants hereby respectfully submit a
replacement specification and separate drawings. With the exception of the Amendments below,
and the separation of the drawing figures originally included within the specification as filed, this
replacement specification is identical to the specification as originally filed on September 26,
2001. For the Examiner's convenience, in addition to the Amendments below, a marked up copy
of the specification as originally filed is also enclosed.



COPY OF PAPERS
ORIGINALLY FILED

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
IFT-5776

In Re Application Of: **Brynjelsen et al.**

Serial No.
09/964,273

Filing Date
Sept. 26, 2001

Examiner
Not yet assigned

Group Art Unit
1615

Invention: **PREPARATION OF SUBMICRON SOLID PARTICLE SUSPENSIONS BY SONICATION OF
MULTIPHASE SYSTEMS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

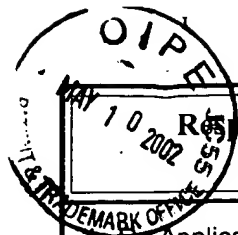
Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
Nov. 7, 2001
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

- 1. Reply to Notice to File Missing Parts of Nonprovisional Application / Formalities Letter mailed November 7, 2001;**
- 2. Replacement Specification;**
- 3. Formal Drawings (3 sheets, 4 Figures);**
- 4. Marked-up copy of Specification, showing all edits; and**
- 5. Return Receipt Postcard.**



**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
IFT-5776

In Re Application Of: **Brynjelsen et al.**

Serial No.
09/964,273

Filing Date
Sept. 26, 2001

Examiner
Not yet assigned

Group Art Unit
1615

Invention: **PREPARATION OF SUBMICRON SOLID PARTICLE SUSPENSIONS BY SONICATION OF
MULTIPHASE SYSTEMS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

☒ Completion of application fees as calculated below:

☒ Utility application filing fee \$740.00

☐ Design application filing fee _____

☒ Total number of independent claims = 2 _____

☒ Total number of claims = 29 \$162.00

☐ Multiple dependent claims _____

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath \$130.00

☐ Petition and fee for filing by other than all the inventors or a person not the inventor _____

☐ Fee for processing an application filed with a non-English language specification _____

☐ Fee for processing and retention of application _____

Total completion of application fees \$1,032.00

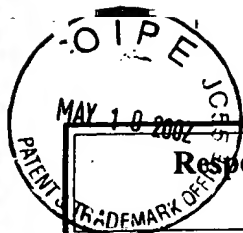
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☐ Three months ☒ Four months ☐ Five months

from: January 7, 2002 until: May 7, 2002
Date *Date*

Total time extension fees \$1,440.00

Total fees due \$2,472.00



Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)

Docket No.
IFT-5776

In Re Application Of: Brynjelsen et al.

Serial No.
09/964,273

Filing Date
Sept. 26, 2001

Examiner
Not yet assigned

Group Art Unit
1615

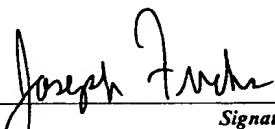
Invention: **PREPARATION OF SUBMICRON SOLID PARTICLE SUSPENSIONS BY SONICATION OF MULTIPHASE SYSTEMS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of **\$2,472.00** is to be paid as follows:

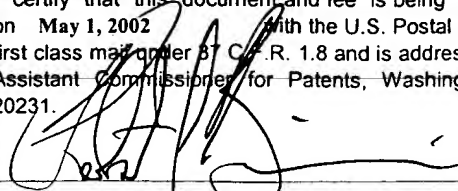
- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **02-1818**
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **02-1818**
A duplicate copy of this sheet is enclosed.


Signature

Joseph A. Fuchs, Reg. No. 34,604
BELL, BOYD & LLOYD LLC
P.O. Box 1135
Chicago, IL 60690-1135
Tel: (312) 807-4335

Dated: May 1, 2002

I certify that this document and fee is being deposited on May 1, 2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


Signature of Person Mailing Correspondence

Robert M. Buccieri

Typed or Printed Name of Person Mailing Correspondence

CC:

NOV 14 2001

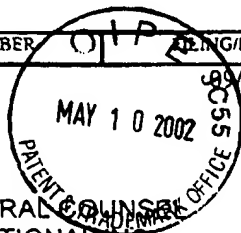
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COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/964,273	09/26/2001	Sean Brynjelsen	IDD-5776 (1417Y P 637)



ASSISTANT GENERAL COUNSEL
 BAXTER INTERNATIONAL INC.
 LAW DEPARTMENT
 ONE BAXTER PARKWAY, DF2-2E
 DEERFIELD, IL 60015

CONFIRMATION NO. 9945

FORMALITIES LETTER



Date Mailed: 11/07/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/14/2002 BARRAH1 00000042 09064273

FILED UNDER 37 CFR 1.53(b)

01 FC:101	740.00 DP
02 FC:105	130.00 DP
03 FC:103	162.00 DP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$162.
 ■ \$162 for 9 total claims over 20.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1002.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

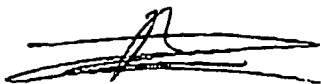
- The specification contains drawings or flow diagrams (37 CFR 1.58(a)). Formal drawings in accordance with 37 CFR 1.81 should be submitted.

*A copy of this notice **MUST** be returned with the reply.*

MAR 05 2002 5:07 PM FR 847 948 3393

847 948 3393 T 913123722098

P.05
page 2 of 2



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE